IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 12640 of 2004

Between:

V. Jagan Mohan S/o Chennakesavulu
Gandi Kovvur Village, Chakrayapet Mandal Kadapa District

..... PETITIONER

AND

1 The Joint Collector, Kadapa District, Kadapa-516 001
2 The Revenue Divisional Officer, kadapa Kadapa District
3 The Mandal Revenue Divisional Officer, Chakrayapet Mandal, Kadapa District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ Order or direction more particularly one in the natur eof Writ of Mandmaus decalring the action of the respondents particularly the 1st respondent in not passing any orders on theinterlocutory application submitted by the petitioner along with the appeal on 05-07-2004 against the suspension order passed by the 2nd respondent in his Ref. C/358/2004 dated 29-06-2004 though the suspension order is politically motivated and without anynotice or enquiry and made for extraneous consideration as illegal, unjust, arbitrary and dilatory and against statuory provisions and consequently direct the 1st respondent to pass positive orders in the interlocutory application filed on 05-07-2004 along with the appeal against the orders of the 2nd respondent in his Ref. C/358/2004 dated 29-06-2004

Counsel for the Petitioner:MR.L.J.VEERA REDDY

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following :

O R D E R:

The petitioner who is a fair-price shop dealer at Gandi Kovvur village, Chakrayapet Mandal, Kadapa District, filed this Writ Petition, challenging the proceedings of the Revenue Divisional Officer, Kadapa, Kadapa District, dated 29.6.2004 whereunder the authorization of the petitioner has been suspended with immediate effect pending enquiry into certain allegations. Admittedly, the petitioner has already preferred an appeal against the said order, before the Joint Collector, Kadapa, Kadapa District, along with an application for stay and the same is still pending.

Though the learned Counsel for the petitioner raised various grounds and contended that the impugned order is arbitrary and illegal, since the impugned order is the subject matter of the statutory appeal pending before the competent authority, I am not inclined to express any opinion on merits of the case. Instead, I deem it appropriate to dispose of the Writ Petition with a direction to the first respondent – the Joint Collector, to consider the application for stay filed by the petitioner in the appeal filed against the order of the Revenue Divisional Officer, dated 29.6.2004, and to pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of one week from the date of receipt of a copy of this Order.

The Writ Petition is disposed of with the above direction. No costs.

21st July 2004

BCS/Md.AA

// TRUE COPY //

SECTION OFFICER

To

1 The Joint Collector, Kadapa District, Kadapa-516 001
2 The Revenue Divisional Officer, kadapa Kadapa District
3 The Mandal Revenue Divisional Officer, Chakrayapet Mandal,

Kadapa District

4. 2CCs to G.P.for Civil Supplies, High Court of A.P(Building),

Hyderabad (OUT),

5. .2CD copies